

SPECIFICATION AMENDMENTS

Please amend the specification on page 1, lines 1-5, as follows:

Under 35 USC § 119(e)(1), this application claims the benefit of prior U.S. provisional application 60/285,155, filed April 19 20, 2001, and U.S. provisional application 60/334,723, filed October 31, 2001, the contents of which are incorporated herein by reference. Work described herein was supported in part by grant no. 5K08ES011571 awarded by the National Institute of Health. The U.S. Government may therefore have certain rights in the invention.-

REMARKS

Claims 1-32 and 39-41 are pending in the application. Support for newly submitted claims 40 and 41 can be found, for example, on Page 25, lines 21-22.

Defective Oath or Declaration

As requested by the Examiner, Applicants submit herewith a new oath and declaration, which appropriately recites the filing date of the provisional patent application, 60/334,723, to which this current patent application claims priority.

CLAIM REJECTIONS

Rejection of claims under 35 U.S.C. §102(e) as being anticipated by Dunlay et al. (U.S. Patent No. 6,727,071)

The Examiner has rejected claims 1-13, 20-32 and 39 under 35 U.S.C. §102(e) as being anticipated by Dunlay et al., which is cited as disclosing “systems, methods, and screens for an optical system analysis of cells to rapidly determine the distribution, environment, or activity of fluorescently labeled reporter molecules in cells by combining many cell screening formats with fluorescence-based molecular reagents and computer-based feature extraction, data analysis, and automation thereby significantly improving target validation and candidate optimization.” The Examiner specifically points to